

MONGOLIA 2017 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution provides for “freedom of conscience and religion,” prohibits discrimination based on religion, and mandates the separation of the activities of state and religious institutions. The law requires religious institutions to register with authorities and broadly describes registration procedures, leaving most specifics of implementation to local authorities. On July 1, a new law came into effect that continues prohibitions on hindering the free exercise of faith and prohibits religious organizations or representatives from proselytization through force, pressure, or deception, or spreading “cruel” religious ideology. Another new law, also effective July 1, continues prohibitions on individuals and legal entities registered with the government from recruiting children to a religion against their will, disclosing an individual’s religion on identity documents without his or her consent, and interfering with the internal affairs of a religious organization unless otherwise allowed by law. Both laws increased the fines for violation of these provisions. The law also prohibits religious legal entities from conducting or financing government or political activity and from organizing religious training or gatherings at public premises, including schools. Some religious groups reported continued difficulties in some localities obtaining and renewing registration due in part to differing registration guidelines among provinces, changing registration practices, and the necessity for each branch of a religious group to register separately. For example, as of October the local Citizens’ Representative Khural of the Capital City (Ulaanbaatar Assembly) granted renewals for 70 religious organizations, cancelled five registrations, and suspended 23 others. Some regions reportedly delayed new registrations for years. Foreign citizens seeking to enter the country to proselytize must obtain religious visas, and some reportedly faced difficulty doing so. There is no regulation of citizens who wish to proselytize.

There were reports of local or social media-based harassment of Christians and members of other minority religious groups.

U.S. officials discussed religious freedom concerns, including uneven application of visa laws and the registration difficulties religious groups face, with government officials at all levels, including during meetings with high-level officials in the Office of the President, Ministry of Foreign Affairs, and parliament; provincial government officials; and the Ulaanbaatar Assembly. Embassy officials met regularly with religious leaders across the country to discuss religious freedom and tolerance. In January the Ambassador hosted a group of young societal leaders for

a discussion focused on tolerance and religious freedom. The embassy invited Buddhist, Christian, Shamanist, and Muslim leaders to an embassy roundtable in September that focused on promoting respect for religious freedom, interreligious dialogue, and religious tolerance. The embassy also promoted religious freedom on social media.

Section I. Religious Demography

The U.S. government estimates the total population at 3.1 million (July 2017 estimate). In the last official census, conducted in 2010, 53 percent of individuals ages 15 and above self-identified as Buddhist, 3 percent as Muslim, 2.9 percent as Shamanist, and 2.1 percent as Christian. Another 38.6 percent stated they had no religious identity. According to a Buddhist scholar, the majority of Buddhists are Mahayana Buddhists. Many individuals practice elements of Shamanism in combination with other religions, particularly Buddhism. The majority of Christians are Protestant; other Christian groups include The Church of Jesus Christ of Latter-day Saints (Mormons), Roman Catholic Church, Jehovah's Witnesses, and the Russian Orthodox Church. Religious groups such as the Family Federation for World Peace and Unification (Unification Church) also have a presence.

The ethnic Kazakh community, located primarily in the northwest, is majority Muslim.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution lists "freedom of conscience and religion" among the enumerated rights and freedoms guaranteed to citizens. The constitution prohibits discrimination based on religion, prohibits the state from engaging in religious activity, and prohibits religious institutions from pursuing political activities. The constitution specifies, "The relationship between the State and religious institutions shall be regulated by law." The constitution provides that, in exercising their rights, persons "shall not infringe on the national security, rights, and freedoms of others and violate public order." The constitution says the state shall respect all religions, and religions shall honor the state. The religion law provides "the State shall respect the dominant position of Buddhism" in the country "in order to respect and uphold the traditions of the unity and civilization of the people" of the

country. It further says, “This shall not prevent citizens from following other religions.”

The new criminal code, effective July 1, increased certain fines. If an individual is found to have used or threatened the use of force in order to hinder the activities or rituals of religious organizations, the individual is subject to a fine ranging from 450,000 to 2.7 million Mongolian Tugriks (MNT) (\$185 to \$1,100), a community-service obligation of 240-720 hours, or a travel ban ranging from one to six months. This law also increased fines, which now range from MNT 450,000 to 5.4 million (\$185 to \$2,200), and contains a travel ban ranging from six to 12 months, or six to 12 months’ imprisonment if a religious organization or religious representative, such as a priest, minister, imam, monk, or shaman, is found to have committed acts of proselytization through force, pressure, or deception or was found to have spread “cruel” religious ideology.

The new law on petty offenses, effective July 1, also increased certain fines. It contains fines of MNT 100,000 (\$41) for individuals and MNT 1 million (\$410) for legal entities for recruiting children to religion against their will. The new law contains a fine of MNT 100,000 (\$41) for individuals and MNT 1 million (\$410) for any legal entity for disclosing an individual’s religion on identity documents without their consent or interfering with the internal affairs of a religious organization unless otherwise allowed by law. The law also contains a fine of MNT 150,000 (\$62) for individuals and MNT 1.5 million (\$620) for legal religious entities for conducting government or political activity, or financing any such activity. A fine of MNT 300,000 (\$120) for individuals and MNT three million (\$1,200) for legal entities for organizing religious training or gatherings at public premises, including schools, is in the new law.

The religion law forbids the spread of religious views by “force, pressure, material incentives, deception, or means that harm health or morals or are psychologically damaging.” It also prohibits the use of gifts for religious recruitment. The law on children’s rights provides children the freedom to practice their faith.

Religious groups must register with local and provincial authorities, as well as with the General Authority for Intellectual Property and State Registration (General Authority), to function legally. National law provides little detail on registration procedures and does not stipulate the duration of registration, allowing local and provincial authorities to set their own rules. Religious groups must renew their registrations (in most cases annually) with multiple government institutions across local, provincial, and national levels.

A religious group must provide the following documentation to the General Authority when applying for registration: a letter requesting registration, a letter from the local representative assembly or other local authority granting approval to conduct religious services, a brief description of the group, the group's charter, documentation on the group's founding, a list of leaders, financial information, a declaration of assets (including any real estate owned), a lease or rental agreement (if applicable), brief biographic information of individuals wishing to conduct religious services, and the expected number of worshippers.

The renewal process requires a religious group to obtain a reference letter from the local administration to be submitted with the documents listed above (updated as necessary), to the local representative assembly. The relevant representative assembly issues a resolution granting the religious institution permission to continue operations, and the organization sends a copy of the resolution to the General Authority, which enters the new validity dates on the religious institution's original registration.

All private religious schools are entitled to state funding for their secular curricula. The religious law prohibits the government from giving state funds to religious schools for religious education.

The education law prohibits educational institutions from conducting any religious training, rituals, or activities. According to Ministry of Education, Culture, Science, and Sports officials, this prohibition on all forms of religious instruction applies to both public and private schools. The government may deny registration renewals for religious groups that violate the ban on religious instruction in educational institutions.

The law regulating civil and military service specifies that all male citizens between 18 and 25 must complete one year of compulsory military service. The law provides for alternatives to military service for citizens who submit an objection based on ethical or religious grounds. Alternative service with the Border Forces, the National Emergency Management Agency, or a humanitarian organization is available to all who submit an ethical or religious objection. There is also a provision for, in lieu of service, paying the cost of one year's training and upkeep for a soldier.

Under the labor law, all foreign organizations, including religious institutions, must hire a stipulated number of Mongolian citizens for every foreign employee hired.

Groups not specified in the annual quota list (including most religious groups) must ensure 95 percent of employees are Mongolian citizens. Any unlisted group with fewer than 20 Mongolian national employees may employ one foreign worker.

The law regulating the legal status of foreign citizens prohibits foreigners from advertising, promoting, or practicing “cruel” religions that could damage the national culture. There have been no reports of any individual or organization penalized for violating this prohibition. The religion law includes a similar prohibition on religious institutions, both foreign and domestic, conducting “inhumane” or culturally damaging activities within the country.

Foreigners seeking to conduct religious activities must obtain religious visas. Only registered religious groups may sponsor foreigners for religious visas. Foreigners who enter on other classes of visas are not allowed to undertake activities that advertise or promote religion (as distinct from personal worship or other individual religious activity, which is permitted). Under the law, “engag[ing] in business other than one’s purpose for coming” constitutes grounds for deportation.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

The Mongolian Evangelical Alliance (MEA) reported it obtained without difficulty permission to organize an October demonstration in the city’s central square from the Ulaanbaatar city authorities. A Shamanist leader, however, reported that a local provincial authority in Zavkhan Province prevented members of his organization from participating in a ritual celebration.

Registration and renewal procedures for religious institutions reportedly varied significantly across the country, largely depending upon the practices of local government officials. Some religious groups continued to say the government inconsistently applied and interpreted regulations, changing procedures frequently and without notice. Some religious groups continued to state that the registration and renewal process was arbitrary in some instances, with no appeal mechanism for denials. A Christian group reported that an Uvs Province local assembly chairperson stated he was biased against the group.

The length of the registration process reportedly varied from several weeks to years, deterring some Christian religious groups that wished to register. Some

groups reportedly did not try to register because they were unable to fulfill the legal requirements for registration due to insufficient size or lack of dedicated, regular worship sites.

Ulaanbaatar Assembly officials continued to say the registration and renewal process allowed the government to assess the activities of religious groups, monitor the number of places of worship and clergy, and know the ratio of foreigners to nationals conducting religious activities. After a religious organization filed for new registration or renewal, according to Ulaanbaatar Assembly officials, a specialized team visited the applying organization to conduct an inspection to determine whether it met specific registration requirements for religious legal entities. This inspection team was composed of individuals from relevant agencies, such as the National Police Agency, General Intelligence Agency, and General Agency for Specialized Inspection. The officials continued to say any applications for initial registration or renewal that ostensibly were “denied” were more accurately “postponed” because of incomplete documentation, poor physical conditions of the place of worship, instances of providing English language instruction in schools without an educational permit, or financial issues (e.g., failure to pay property tax or to declare financing from foreign sources). The authorities said in these cases, they instructed religious institutions to correct deficiencies and resubmit their applications. According to Ulaanbaatar Assembly officials, there were 848 religious organizations in operation nationwide, of which 380 were located in Ulaanbaatar. The officials stated that of these, 300 were officially registered and 80 were operating without valid registration.

The Ulaanbaatar Assembly limited registrations and renewals to one year from the date of issuance, although local authorities in some other areas granted registrations and renewals that were valid for two or three years. As of October, the Ulaanbaatar Assembly granted renewals for 70 religious organizations, cancelled five registrations, and suspended 23 registrations pending additional documentation, improved conditions, or other issues as determined by the inspection team. An Ulaanbaatar Assembly official said Christian groups constituted the majority of those seeking registrations or renewals; for this reason, most of the cancelled or suspended registrations were for Christian groups.

The Ulaanbaatar Assembly and other local assemblies continued to decline to recognize branch churches as affiliated with a single religious institution; instead, each individual church was required to register separately. According to Mormon leaders, the Ulaanbaatar Assembly’s position that branches of the same church required separate registrations, which had unclear status in the law, continued to

cause particular problems for Christian denominations seeking to operate multiple churches under a centralized administration, although such denominations were able to register their churches individually.

Unregistered religious groups were often still able to function, although at times they experienced frequent visits by local tax officers, police, and representatives from other agencies. Some religious leaders expressed concern that unregistered status could leave their organizations vulnerable to investigation and possible legal action. Shamanist leaders expressed concerns that the requirement for a registered place of worship placed limitations on their religion because of its nature-linked practices, although a few established registered places of worship. Two Christian denominations also reported this requirement restricted their ability to hold worship services in members' households. Unregistered churches lacked official documents establishing themselves as legal entities and as a result were unable to own or lease land, file tax returns, or formally interact with the government. Individual members of unregistered churches typically continued to own or lease property for church use in their personal capacity.

Religious leaders continued to report that religious organizations in Tuv Province experienced registration difficulties. These leaders also noted that unregistered religious organizations were able to operate.

There were no reports of registration difficulties in Darkhan-Uul Province by religious groups that previously experienced such issues.

The MEA also reported it no longer experienced barriers to registration in Khuvsgul and Dornogobi provinces.

The Administrative Court of First Instance in Ulaanbaatar ruled in favor of a Jehovah's Witnesses congregation that filed a court petition contesting the Ulaanbaatar Assembly's decision to cancel its registration based on the assembly's determination that the church doctrine was potentially harmful to national security. As a result, the church was able to apply for renewal of its registration. The renewal application was pending at year's end. There were reports that three additional Christian congregations also had their registrations cancelled for the same reason.

During an interfaith roundtable event at the U.S. embassy in September, religious leaders unanimously stated that inconsistent implementation of registration requirements posed the only barrier to the free exercise of religious practices.

In many areas, local authorities reportedly continued to place restrictions on the participation of minors in church activities. According to representatives of multiple Christian groups, government officials continued to restrict unaccompanied minors' participation in religious services due to fears services would be used to "brainwash" them. In Uvs and many other provinces, minors under the age of 16 required written parental permission to participate in church activities. Churches are required to retain this permission in church records and make it available upon request.

Religious groups, as allowed by law, continued to experience periodic audits, usually by officers from tax, immigration, local government, intelligence, and other agencies. Buddhist, Christian, Shamanist, and Muslim religious leaders during an interfaith roundtable said that secular business entities are also subject to similar inspections and experience periodic audits. Some religious leaders in the past said such periodic audits were a form of harassment.

Government officials receive Buddhist leaders annually during the Lunar New Year.

Some foreign citizens continued to face difficulties obtaining religious visas. Since most religious groups were bound by the 95 percent local hire requirement, groups that could not afford to hire enough local employees could not sponsor additional religious visas. It was possible to pay a fee to exceed the quota restrictions, but some churches reported they could not afford this cost. Christian groups reported foreign missionaries seeking to enter the country often did nonreligious work and applied for the corresponding type of visa (such as student or business). As a result, the groups reported they could legally participate only in limited religious activities and were vulnerable to deportation because of inconsistent interpretations of the activities in which they could legally engage. The validity of religious visas is linked to the religious organization's registration, which some Christian religious groups reported resulted in additional visa problems. Foreign citizens cannot receive or renew a religious visa unless their religious organization's registration or renewal was already granted. The length of the religious visa's validity corresponds with and cannot exceed that of its sponsoring organization.

Some local authorities were reported to have sought out the voluntary services of Christian groups for prison counseling, the construction of wells, and other charitable works.

The government allocated funding of MNT 840 million (\$346,000) for the restoration of several Buddhist sites that it said were important religious, historical, and cultural centers. The government did not provide similar subsidies to other religious groups.

The task force established in 2016 by the minister of justice to update statistics on religious institutions and identify issues related to religious activities was disbanded following the completion of its work. No report was issued on its findings.

Section III. Status of Societal Respect for Religious Freedom

There were reports of local or social media-based harassment of Christians and members of other minority religious groups. For example, there were internet postings that expressed negative views about the Family Federation for World Peace and Unification after a photograph of a presidential candidate with church members appeared online during election season.

According to leaders of the MEA, overall public support for religious freedom increased. In a change from previous years, during the year there were no reports of Buddhist and Muslim leaders expressing concern over a perceived growing influence of Christianity in the country. Some Christians, however, reported that a negative perception among the general public about the growing influence of Christianity continued and, as a result, they believed they were subject to discrimination.

Section IV. U.S. Government Policy and Engagement

The Ambassador and other U.S. officials regularly discussed religious freedom and shared the U.S. government's concerns about the uneven application of visa laws and the registration difficulties religious groups reported with government officials at the national, local, and provincial levels, including in Darkhan-Uul, Khovd, and Uvs provinces. For example, the Ambassador raised concerns about registration difficulties in a March meeting with the foreign minister. The Ambassador and other embassy officers during meetings with parliamentarians and high-level officials in the President's Office, Ministry of Foreign Affairs, Ulaanbaatar Assembly, and provinces encouraged officials to enhance efforts to protect religious freedom and underscored the value of dialogue between the government and religious communities.

The Ambassador and other U.S. officials met frequently with religious leaders in Ulaanbaatar and across the country, both individually and in groups, to discuss registration and visa problems as well as ways to promote greater religious freedom, for example by forming an interfaith council to lobby the government to systematize registration practices nationwide. In January the Ambassador hosted a group of young societal leaders at her residence for a discussion focused on tolerance and religious freedom. The embassy invited Buddhist, Christian, Shamanist, and Muslim leaders to an embassy roundtable in September that focused on promoting respect for religious freedom, interreligious dialogue, and religious tolerance. The embassy also promoted religious freedom on social media.